

**KANSAS STATE BOARD OF NURSING**  
Landon State Office Building  
900 SW Jackson, Suite 1051  
Topeka, Kansas 66612-1230

**FILED**  
SEP 8 2011  
**KSBN**

**IN THE MATTER OF**

**Valerie J. Hile**

**License No. 13 102041 101**

**Case Nos. 09-1050-0 and  
07-406-7**

**OAH No. 11BN0083**

**FINAL ORDER  
DENYING REVIEW**

Pursuant to K.S.A. 77-526 and K.S.A. 2010 Supp. 77-527

Now, on this 8<sup>th</sup> of September 2011, the above-captioned matter comes on for consideration of Valerie J. Hile's (Respondent's) Petition for Review of the Initial Order issued by the Presiding Officer of the Office of Administrative Hearings. Pursuant to K.S.A. 2010 Supp. 77-527(a)(2)(B), the members of the Kansas State Board of Nursing (Board) have delegated their authority to determine whether to review an initial order to its President, Jeanne Walsh.

Findings of Fact

1. On August 11, 2011, the Presiding Officer of the Office of Administrative Hearings issued an Initial Order in the above-referenced matter. The Initial Order denied Respondent's Motion to Vacate the Proposed Default Order. The findings of fact and conclusions of law contained in the Initial Order are hereby adopted by reference.
2. The Initial Order informed Respondent that, if she chose to request a review, she must file a Petition for Review with the Board's Executive Director, Mary Blubaugh.
3. On August 29, 2011, the Board's disciplinary counsel, Danielle R. Sanger, received a Petition for Review from Respondent.
4. Thus, Respondent did not file her Petition for Review with the Board's designee, Ms. Blubaugh, as required in K.S.A. 2010 Supp. 77-527(b).
5. Moreover, in her Petition, Respondent failed to state the basis for review as required in K.S.A. 2010 Supp. 77-527(c).
6. Thus, Respondent did not challenge any factual findings in the Initial Order or allege any new facts that would change the outcome of the Initial Order nor did she contend the decision in Initial Order was based upon facts not supported by the record or an erroneous interpretation or application of the law.

Conclusions of Law

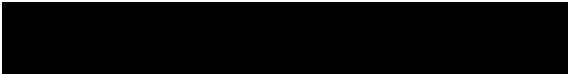
7. Based upon the above findings, there is no factual or legal basis that would change the findings of fact or conclusions of law in the Initial Order.

8. The findings of fact, conclusions of law, and denial of Respondent's Motion to Vacate the Proposed Default Order as contained in the Initial Order should be affirmed and Respondent's Petition for Review of the Initial Order should be denied.

Order

WHEREFORE, after consideration of the above facts and conclusions, it is the decision and order of the Board that the Initial Order is affirmed and that Respondent's Request for Review is denied.

IT IS SO ORDERED.

  
Jeanne Walsh, President  
Kansas State Board of Nursing

**NOTICE OF OTHER ADMINISTRATIVE RELIEF  
AND JUDICIAL RELIEF**

The above Order Denying Respondent's Request for Review is a Final Order. Pursuant to K.S.A. 77-529, a party may file with the Board a petition for reconsideration within 15 days from the date noted below in the Certificate of Service. Such petition must state the specific grounds upon which relief is requested. The filing of a petition for reconsideration is not a prerequisite for seeking judicial review.

Pursuant to K.S.A. 77-530, a party may file a petition for stay of effectiveness of the order, if applicable, prior to the expiration of the time in which to file a petition for judicial review. The filing of a petition for a stay of effectiveness is not a prerequisite for seeking judicial review.

Pursuant to K.S.A. 77-613, a party may file within 30 days from the date noted below in the Certificate of Service a petition for judicial review with the appropriate district court as provided in the Kansas Judicial Review Act, K.S.A. 77-601 *et seq.*

The agency designee who may receive service of a petition for stay of effectiveness, a petition for reconsideration, or a petition for judicial review on behalf of the Board is Mary Blubaugh, Executive Director, Kansas State Board of Nursing, Landon State Office Building, 900 S.W. Jackson, Ste. #1051, Topeka, Kansas 66612-1230.

**CERTIFICATE OF SERVICE**

I hereby certify that on September 8<sup>th</sup>, 2011, a copy of the above Order and Notice was deposited with the United States Postal Service, postage pre-paid, and addressed to:

Valerie J. Hile  
301 NE Adams Dairy Parkway  
Blue Springs, MO 64014.

Valerie J. Hile  
4800 Norwood Ave.  
Kansas City, MO 64133

and hand delivered to:

Danielle R. Sanger  
Assistant Attorney General  
Kansas State Board of Nursing  
Landon State Office Building  
900 SW Jackson, Suite 1051  
Topeka, KS 66612



Staff

Kansas State Board of Nursing

**BEFORE THE KANSAS STATE BOARD OF NURSING**

Landon State Office Building, 900 S.W. Jackson #1051  
Topeka, Kansas 66612-1230

**FILED**

**JUL 26 2011**

**IN THE MATTER OF**

**VALERIE J. HILE**

**License No. 13-102041-101**

**KSBN**

**Case No. 09-1050-0, 07-406-7**

**PROPOSED DEFAULT ORDER TO REVOKE LICENSE**

NOW ON THIS 26<sup>th</sup> day of July 2011, Petitioner, the Kansas State Board of Nursing, appears by disciplinary counsel, Danielle R. Sanger, for a Pre-Hearing on the Petition. Respondent does not appear in person or by phone.

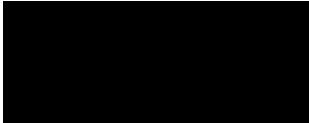
Wherefore, the Presiding Officer finds as follows:

1. Respondent is licensed to practice nursing in Kansas through 10/31/2011. The Kansas State Board of Nursing has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent was sent a copy of the Petition and Notice of Hearing to Respondent's last known address of record and service is proper. Respondent does not appear.
3. Petitioner moves for issuance of a proposed default order revoking Respondent's license. The Petitioner's request is granted by default pursuant to K.S.A. 77-520.
4. The Petition is hereby granted and incorporated into this order as if fully set forth herein. Respondent violated the Nurse Practice Act as alleged in the Petition.
5. Per Petitioner's request, Respondent's license to practice nursing is revoked. Respondent may not practice nursing in Kansas.
6. Costs of the action of \$70 are assessed to Respondent to be paid to the Board by cashier's check or money order within 30 days of the effective date of this order.
7. Respondent shall immediately forward his or her original Kansas nursing license to the Kansas State Board of Nursing.



8. This Proposed Default Order shall become effective seven days after service, or ten days after mailing, of this order unless the Respondent files a written motion with the Board stating why the Proposed Default Order should be vacated and the order is then vacated.
9. Disciplinary counsel shall mail a copy of this proposed default order to Respondent's last known address of record.

**IT IS SO ORDERED.**



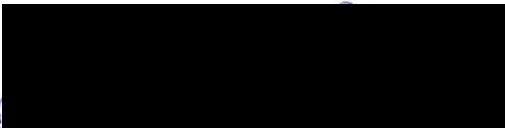
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Sandra L. Sharon, Presiding Officer  
Office of Administrative Hearings  
1020 S Kansas Ave.  
Topeka, KS 66612-1327

**NOTICE**

Pursuant to K.S.A. 77-520, a party against whom a proposed default order is issued may file a written motion to vacate the order. A motion to vacate the proposed default order must be timely filed within 7 days following service of the proposed default order. If no timely motion to vacate the proposed default order is received and granted, the proposed default order becomes final without further proceedings or notice in 30 days after the service of the proposed default order.

Pursuant to K.S.A. 77-531, if served by mail, three days are added to the time limits set out above.



Danielle R. Sanger, #24587  
Disciplinary Counsel  
Kansas State Board of Nursing  
900 S.W. Jackson, Suite #1051  
Topeka, KS 66612-1230  
785-296-4325

**CERTIFICATE OF SERVICE**

I certify that on the 20<sup>th</sup> day of July 2011, a true and correct copy of the foregoing Proposed Default Order Revoking License was deposited in the United States Mail, first-class postage prepaid, addressed to the following:

Valerie Hile  
4800 Norwood Ave  
Kansas City MO 64133



Danielle R. Sanger, #24587  
Assistant Attorney General

**BEFORE THE KANSAS STATE BOARD OF NURSING**  
Landon State Office Building, 900 S.W. Jackson #1051  
Topeka, Kansas 66612-1230

**IN THE MATTER OF  
VALERIE J. HILE  
License No. 13-102041-101**

**Case No. 09-1050-0, 07-406-7**

**FILED**

**MAY 20 2011**

**KSBN**

**FILED OAH  
23 MAY '11 PM3:37**

**PETITION**

COMES NOW the Petitioner, the Kansas State Board of Nursing, by and through Assistant Attorney General assigned to the Board, Danielle R. Sanger, and for its cause of action states that:

1. Respondent, Valerie J. Hile, is licensed to practice nursing in Kansas through 10/31/2011. The Board has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent's address of record is 4800 Norwood Ave., Kansas City MO 64133.
3. After an investigation, the Board's investigative committee found reasonable grounds to believe that the Respondent violated the Kansas Nurse Practice Act, K.S.A. 65-1120, and referred this matter for further proceedings.
4. The Kansas State Board of Nursing has the authority under K.S.A. 74-1106 et seq. to examine, license and renew license for duly qualified applicants and may limit, deny, suspend or revoke a license or authorization to practice nursing, may issue a public or private censure and levy administrative fines consistent with K.S.A. 74-1110, if a violation of K.S.A. 65-1120(a) is established.

**FACTS COMMON TO ALL COUNTS**

5. The facts below are common to all counts:

- a. On or about 07/2007, Respondent was initially licensed as an RN in the state of Kansas. Per her initial application, Respondent was convicted of a misdemeanor on or about 02/1994.
- b. In a letter dated 05/11/2007, Respondent was informed that since she reported the misdemeanor conviction with her initial application for RN licensure, she was required to answer "yes" to the misdemeanor conviction question on any/all future nursing applications submitted to the KSBN.
- c. On or about 9/17/2009, Respondent submitted a renewal application to practice nursing in the state of Kansas.
- d. On her renewal application, Respondent answered "No" to the question regarding whether she had ever been convicted of a misdemeanor.
- e. In a letter dated 08/15/2010, Respondent was informed that she had answered "No" to the question regarding whether she had ever been convicted of a misdemeanor. Respondent was informed that she needed to contact the Board by 09/29/2010 if she wanted to complete a two (2) hour CNE on the Kansas Nurse Practice Act instead of facing possible disciplinary action.
- f. To date, Respondent has not contacted the Board.

#### VIOLATIONS

6. Respondent has violated the Kansas Nurse Practice Act as follows:
  - a. Count 1: K.S.A. 65-1120(a)(1), to be guilty of fraud or deceit in procuring or attempting to procure a license to practice nursing.
  - b. Count 2: K.S.A. 65-1120(a)(6), to be guilty of unprofessional conduct as defined by rules and regulations of the board, by KAR 60-3-110(t), failing to furnish the board, its investigators, or its representatives with any information legally requested by the board.




WHEREFORE, Petitioner requests a finding that the Respondent has violated the Nurse Practice Act, that Respondent's license to practice nursing in Kansas be revoked, and that costs of this action be assessed to the respondent in the amount of \$70.00.

Respectfully submitted,

Derek Schmidt,  
Kansas Attorney General

By:



Danielle R. Sanger #24587  
Assistant Attorney General  
Kansas State Board of Nursing  
Landon State Office Building  
900 SW Jackson #1051  
Topeka, KS 66612